

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MASSACHUSETTS

LAURIE GILBERT  
Plaintiff,

v.

JOHN HEGGARTY,  
TIMOTHY B. DUBE,  
Defendants

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DOCKET #: C.A. 05-10746-RWZ

MOTION TO CONTINUE

NOW COMES Laurie Gilbert, Plaintiff in the above captioned matter, by and through her attorney, Richard N. Foley, Esq., who moves this Honorable Court to continue the Jury Trial in this matter currently scheduled for September 5, 2006.

As grounds for this Motion your Plaintiff sets forth the following:

1. This matter is scheduled for a Jury Trial on September 5, 2006 at 9:00 a.m.;
2. There has been a serious breakdown in attorney/client relations which makes the undersigned unable to adequately represent the Plaintiff. Accordingly additional time is necessary for the Plaintiff to obtain new counsel to represent her in this matter;
3. The undersigned has been unable to obtain the Defendant's assent to the within motion.

WHEREFORE, your Plaintiff respectfully requests that  
this Honorable Court;

- A. Continue this matter to a date at the Court's  
convenience; and
- B. Grant such other and further relief as may be  
deemed just and proper.

Date: August 31, 2006      Respectfully submitted,  
LAURIE GILBERT

/S/ Richard N. Foley, Esq. \_\_\_\_\_  
By her attorney,  
Bar No. 10520  
Law Offices of Richard N. Foley  
414 State Street, Suite 2  
Portsmouth, NH 03801  
Tel: (603) 433-1303

**CERTIFICATE OF SERVICE**

I, Richard N. Foley, Esq., hereby certify that the  
within Motion to Continue was served on the following persons  
on this date and in the manner specified herein:  
Electronically Served Through ECF: Kathy-Anne Pennini, Esq.

Date: August 31, 2006      /S/ Richard N. Foley, Esq. \_\_\_\_\_